

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	NO. 3:18-CR-0097
v.	:	
	:	(MARIANI, J.)
ROSS ROGGIO, and	:	
ROGGIO CONSULTING, LLC,	:	
Defendants.	:	

**GOVERNMENT’S *IN LIMINE* MOTION TO PRECLUDE  
THE DEFENDANT FROM INTRODUCING HIS OWN  
SELF-SERVING HEARSAY STATEMENTS**

The Government, by and through undersigned counsel, respectfully moves *in limine* for the Court to issue an Order to preclude the defendant from introducing his own self-serving hearsay statements, and in support thereof state:

1. At trial, the Government might introduce statements and admissions made pre-arrest and post-arrest by Roggio as evidence of the charged crimes.

2. During a telephone phone call when his then-wife handed the phone to FBI Special Agent Thomas O’Donnell, when interviewed during secondary inspection upon entering the U.S., and during the execution of the search at his residence, Roggio made self-serving

statements that the Government anticipates the defense might seek to introduce on cross-examination or otherwise.

3. It is improper for a defendant to introduce his own out-of-court statements in any manner; therefore, Roggio should be precluded from doing so.

Dated: April 10, 2023

Respectfully submitted,

GERARD M. KARAM  
UNITED STATES ATTORNEY

/s/ Todd K. Hinkley  
Todd K. Hinkley  
Assistant U.S. Attorney  
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KENNETH A. POLITE, JR.  
Assistant Attorney General

/s/ Patrick Jasperse  
Patrick Jasperse  
Trial Attorney  
Criminal Division  
U.S. Department of Justice  
Human Rights and Special  
Prosecutions Section

MATTHEW G. OLSEN.  
Assistant Attorney General

/s/ Scott A. Claffee

Scott A. Claffee  
Trial Attorney  
National Security Division  
U.S. Department of Justice  
Counterintelligence and Export  
Control Section

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Defendants.	:	(electronically filed)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That on April 10, 2023, he served a copy of the attached **GOVERNMENT'S MOTION IN LIMINE TO PRECLUDE THE DEFENDANT FROM INTRODUCING HIS OWN SELF-SERVING HEARSAY STATEMENTS** by electronic means to:

Gino Bartolai  
bartolai@ptd.net

/s/ Todd K. Hinkley  
Todd K. Hinkley  
Assistant United States Attorney

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**CERTIFICATE OF NON-CONCURRENCE**

The undersigned hereby certifies that he attempted to speak to Gino A. Bartolai, Esquire, counsel for Ross Roggio concerning the defendant's concurrence/non-concurrence in the attached motion *in limine*. Attorney Bartolai, indicates that the defense does not concur in the attached motion.

/s/ Todd K. Hinkley  
Todd K. Hinkley  
Assistant United States Attorney